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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 002125

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SUBJECT: NIGERIA: BUHARI'S CAMP ON THE PRESIDENTIAL ELECTION CASE

REF: ABUJA 2091

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b & d).

¶1. (C) SUMMARY: On October 24, Buba Galadima, ANPP National Campaign Secretary for General Mohammadu Buhari, accompanied by Bassey Ekpo Bassey, Obong of Calabar, told PolCouns and PolOffs there were different factions at work attempting to influence the outcome of the ongoing presidential election case currently before the Supreme Court. Galadima and Bassey urged the USG to engage with the Supreme Court justices to encourage them to let justice prevail. Galadima came with a strong warning that if "justice does not prevail" (read: the election is not overturned), that no one will trust the courts in the future and individuals will take matters into their own hands. Both interlocutors believed that President Yar'Adua has underestimated the power former President Obasanjo still holds and that the Yar'Adua administration was too weak to make any significant changes. END SUMMARY.

¶2. (C) In an October 24 meeting with PolCouns and PolOffs, Buba Galadima, ANPP National Campaign Secretary for General Mohammadu Buhari, said he was pleased with Buhari's lawyers' work and that they had a strong case that only "extraneous or political issues" could puncture. Galadima was unsure when the final judgment would be announced. He noted that several of Buhari's lawyers were former students of Justice Niki Tobi, hinting that this would bode well for Buhari. (COMMENT: Justice Niki Tobi was particularly critical of the cases put forth by lawyers for President Yar'Adua and the Independent National Electoral Commission (INEC) during presentation of final arguments on October 23. See Ref A. END COMMENT.)

¶3. (C) Galadima agreed with PolCouns that there were several factions (as many as ten, Galadima maintained) attempting to influence the Supreme Court's decision, noting that each had their own motives. Galadima suggested that some were pressuring the Supreme Court not only to annul the election of Yar'Adua, but to declare a winner, as the electoral act empowers them to do (presumably Buhari, at least in Galadima's mind). On the other hand, he said there were powerful Northern rulers, such as the Sultan of Sokoto and Emir of Kano, who were pressuring the judges to maintain the "status quo" and uphold the election.

¶4. (C) If the election were annulled and a rerun ordered, Galadima suggested that current Secretary of the Government of the Federation (SGF) Yayale Ahmed would be the likely PDP

candidate, intimating that Yar'Adua moved Ahmed into the SGF position in order to begin projecting him as a likely candidate. Galadima claimed that allies of former President Obasanjo, including Andy Uba, Senate President David Mark and former Chairman of the Economic and Financial Crimes Commission (E FCC) Nuhu Ribadu, had expressed to Buhari's camp their support for an annulment. Galadima asserted that if the election were annulled and Senate President David Mark sworn in as interim President, Obasanjo would once again be in complete control of the administration. Bassey added that Yar'Adua's administration was weak and underestimated the power Obasanjo still held both inside the GON and within the nation as a whole. According to both interlocutors, Obasanjo still controlled a majority of members of the National Assembly, and would play a significant role once the judgment was announced.

¶15. (C) Galadima requested the international community, including the USG, to engage with the Supreme Court justices and encourage them to "let justice prevail," adding that if justice is done, Buhari will emerge victorious. He suggested that if the court does not find in favor of justice (read: annul the election), people would not trust the judiciary in the future and would be forced to take matters into their own hands. "We are capable and can do it," he warned. PolCouns noted that the USG has repeatedly made clear the importance we attach to the rule of law, but added that we would also not want to do anything which give the appearance of interfering in the Supreme Court's deliberations.

¶16. (C) COMMENT: Galadima is a staunch long-term supporter of  
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Buhari and clearly believes Buhari was the legitimate winner of the 2007 elections. We note his warning that individuals might take matters into their own hands. Buhari spent two years in court following the 2003 election and had to be prodded into pursuing the tribunal process again this time. If the hope of a fair hearing in the tribunals completely dries up, future Nigerian elections could prove to be even more "do or die" than we have seen in the recent past. End Comment.

¶17. (C) Bio note: Galadima has been a contact of the Mission since 1994. He supported Buhari during the 2003 election and tribunal process and remains a close confidante and advisor. We believe Galadima speaks for Buhari in expressing frustration with the electoral and judicial processes.

¶18. (U) This cable was coordinated with Consulate Lagos.  
Sanders